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**PATENT APPLICATION
ATTORNEY DOCKET NO. 10990852-1**

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

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MAR 10 2003

Technology Center 2600

Inventor(s): Charles J. Gazdik et al.

Confirmation No.: 1450

Application No.: 09/304,968

Examiner: Douglas Tran

Filing Date: 05/04/99

Group Art Unit: 2624

Title: Creating Operating System Fonts From Printer Font Metrics

**COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231**

APPELLANTS' REPLY BRIEF

Sir:

REPLY TO EXAMINER'S ANSWER

1. **Whether claims 1-20 are anticipated under 35 U.S.C. 102(e) by Simon et al., U.S. Patent Number 6,065,008.**

The Examiner argues that the font file 50 of Simon is a printer metrics file and, since the font file 50 is opened and read, Simon discloses opening and reading a printer metrics file. In support of the notion that the font file 50 is a printer metrics file, the Examiner notes that the font file 50 contains font metrics.

However, a font file contains much more than just font metrics. A font file contains all of the information about the font for using and displaying the font.

Conversely, a printer metrics file contains very little information about the font. Printer metrics files do not have enough information to use and display the font. Printer metrics files do not contain glyphs or outlines of the characters of the font.

Since the font file 50 and font subset file 64 disclosed in Simon each contain glyph data, they cannot be printer metrics files. Since the font file 50 and font subset file 64 cannot be printer metrics files and the other files disclosed by Simon are printer metrics files, Simon does not disclose either opening or reading a printer metrics file.

The Examiner further argues that Simon discloses reading font metrics from the font file and creating an operating system font from the font metrics.

Simon is very specific about what is read from the font file or font subset file. Simon discloses reading only the digitally signed root from the signature field, the data glyphs from the content field, and the authentication values from the authentication field of the font file or font subset file.

As described in Appellants' specification, a set of font metrics typically includes a selection string, character set, point size, scalability, width, and height of printer font and whether printer font is bolded, italicized, or both. A selection string is a string used to select the printer font from those printer fonts residing in a printer.

Neither the digitally signed root, the data glyphs, nor the authentication values are a set of font metrics. Nor do the digitally signed root, the data glyphs, or the authentication values contain the same information as a set of

font metrics. Therefore, the digitally signed root, the data glyphs, and the authentication values should not be construed as font metrics.

Since the digitally signed root, the data glyphs, and the authentication values should not be construed as font metrics and Simon discloses reading nothing else from the font files or font subset files, Simon does not disclose reading a set of font metrics. Furthermore, since Simon does not disclose reading a set of font metrics, Simon also does not disclose creating an operating system font from font metrics.

The Examiner additionally argues that Simon discloses applying font metrics to a font template and saving them as a font. It appears that the Examiner is suggesting that either the authentication tree or the glyph outline should be construed as a font template (page 8 of the Examiners Answer).

As described in Appellants' specification, a font template is a file that includes all of the information necessary to create an operating system font, except for the information contained in a set of font metrics. Simon does not disclose that either the authentication tree or the glyph outline contains all of the information necessary to create an operating system font, except for the information contained in a set of font metrics.

Simon describes the authentication tree as a structure used to authenticate the source of the font file. Simon describes a glyph as an exact shape or outline of a character form. This information combined with a font metric is not enough to create a font.

Since neither an authentication tree nor a glyph combined with a font metric is enough to create a font, neither an authentication tree nor a glyph is a font template as claimed in Appellants' claims 3, 10, and 16.

CONCLUSION

It is clear beyond dispute that the references do not anticipate Appellants' invention under long established criteria for applying section 102. The total thrust of the rejections being appealed is an attempt to meet the claims under section 102(e) with a reference that fails to contain, literally or inherently, either a disclosure of the inventive concept or the specific limitations contained in claims 1-20.

Overruling of the Examiner's rejections of claims 1-20 is respectfully requested.

Respectfully submitted,
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S/N: 09/304,968
Case: 10990852-1
Appellants' Reply Brief

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TRANSMITTAL OF REPLY BRIEF

Sir:

Transmitted herewith in ***triplicate*** is the Reply Brief with respect to the Examiner's Answer mailed on 12/31/02. This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new grounds of rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

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Respectfully submitted,

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